

SENATE—Wednesday, September 22, 1999

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Rev. Craig Barnes, Washington, DC.

We are pleased to have you with us.

PRAYER

The guest Chaplain, Rev. Craig Barnes, senior pastor, National Presbyterian Church, Washington, DC, offered the following prayer:

Let us pray.

Almighty God, before any more work is done this day, before anyone stands up in leadership over the Nation, we bow our heads in humble confession that we are completely dependent upon You.

Even the greatest among us is but flesh, and lighter than a breath in Your holy presence. So use our leaders this day, not because they are necessary, but because in Your hands they can become instruments for building Your holy kingdom on Earth.

When our leaders are tempted to despair, give them Your hope. When they are hurt, give them Your protecting angels. And when they are discouraged, give them great visions and dreams of that coming day when, throughout the land, we shall all do justice, love kindness, and walk humbly with You, our God. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BILL FRIST, a Senator from the State of Tennessee, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able Senator is recognized.

SCHEDULE

Mr. WARNER. Mr. President, today the Senate will immediately begin debate on the Department of Defense authorization conference report with the vote on adoption ordered to take place at approximately 9:45 a.m.

Following the vote, the Senate will begin consideration of the VA-HUD appropriations bill. It is hoped that Senators who have amendments to the bill will work with the chairman and ranking member so that they may offer

those amendments in a timely fashion. Senators can expect votes throughout the day in an effort to make significant progress on this legislation.

I thank my colleagues for their attention.

MEASURE PLACED ON CALENDAR—S. 1606

Mr. WARNER. I understand there is a bill at the desk due for its second reading.

The PRESIDING OFFICER (Mr. FRIST). The clerk will read the bill for the second time.

The bill clerk read as follows:

A bill (S. 1606) to reenact chapter 12 of title 11, United States Code, and for other purposes.

Mr. WARNER. Mr. President, on behalf of the distinguished majority leader, I object to further proceedings on the bill at this time.

The PRESIDING OFFICER. The bill will be placed on the calendar under rule XIV.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2000—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of the conference report accompanying S. 1059, which the clerk will report.

The bill clerk read as follows:

Conference report to accompany S. 1059 to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, and for other purposes.

The PRESIDING OFFICER. Under the previous order, there will now be 15 minutes for debate equally divided in the usual form prior to the vote on the conference report.

Mr. WARNER. Mr. President, the Senate worked well into the evening last night, and we had about an hour and a half of deliberations regarding this bill. We are prepared this morning, the distinguished ranking member and myself, to conclude that debate.

Once again, I pay my heartfelt tribute to my distinguished ranking member and the staff of the committee for a job well done. We have produced a work product in which I believe this institution can take great pride.

Mr. President, the Senate is a constant learning experience, and al-

though I have been privileged to have represented the Commonwealth of Virginia for some 21 years in the Senate, I experienced last night an event which I shall always remember. We had concluded our debate, and I was proceeding to do the wrapup on behalf of the majority leader, and when the Senate concluded its work, I was suddenly surrounded by the pages, shaking hands, and expressing their great appreciation. It then took me a minute to realize that we had concluded debate beyond the hour of 9 p.m., thereby foreclosing any requirement that they perform their homework. That was a tribute that I shall long remember.

The other experience last night was my distinguished good friend and ranking member, the senior Senator from Michigan, announcing that he would support this bill. I recognize it has been a serious struggle for him and others occasioned by the amendment on the bill regarding the reorganization of the Department of Energy.

I feel very strongly that the Senate did its duty on behalf of the country and put on that bill legislation in the course of the conference that is badly needed to reorganize that Department. I am confident the current Secretary has the ability within this statute to lead that Department, restructuring it in a manner that it can continue to serve the United States and at the same time protect the vital security matters that come before that Department.

The bill before us now marks a necessary turning point in reversing the dangerous trends that we have witnessed in our military after 15 years of declining defense spending. While the world has changed in many ways since the end of the cold war, what has not changed is that America's Armed Forces are bearing our commitments as they have always done. There are, however, limits to that commitment by the men and women who proudly serve in uniform. Our forces are clearly overstressed in commitments throughout the world, the most recent being East Timor, where there was clear justification for U.S. participation.

Over the past decade, our military manpower has been reduced by one-third, from 2.2 million to 1.4 million, and during this same period our troops have been involved in 50 military operations worldwide. As the force levels have been brought down, as the defense spending in that same period was brought down, up went the number of times that President Clinton and, indeed, President Bush sent our troops beyond our shores—50 times. Compare

that period of 10 years to the end of the Vietnam war, in 1975, when we had a bipolar world—the Soviet Union and the United States. In that period from 1975 until roughly 1990, a 15-year period, U.S. military forces were engaged in only 20 deployments beyond our shores. Therein is the reason why our committee, with the strong support of the leadership—certainly Senator LOTT initiated the correspondence that began to bring to the attention of the President, and indeed this body, the need for increased defense spending. Eventually the President did recognize that need and indicated a willingness to increase that spending.

Our committee, I am very proud to say, even went beyond the President's number for defense spending. We did so with the very able help and assistance of the members of the Joint Chiefs of Staff. On two occasions they came before our committee and clearly told us their own personal views regarding the need for additional pay for the men and women in the Armed Forces, additional money for research and development and procurement, and, indeed, it was their testimony that laid the solid foundation on which we come before the Senate today, proudly, with a bill, for the first time in 15 years, increasing defense spending.

I yield the floor at this time to my distinguished colleague.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, first, let me thank again the very able, very distinguished chairman of our committee for the bipartisan approach with which he leads our committee. It has been a consistent pattern for him since he has been in the Senate. We came here together, so we have a lot of knowledge and awareness of each other. He has really made an extraordinary contribution to this body and to the well-being of the Nation. I commend him for it.

This bill is an important bill. It is really two bills. It is the Department of Defense bill, an authorization bill, but it is also a Department of Energy reorganization bill. It is the second bill that is the troubling one. I have resolved to vote for this bill because I believe, on balance, it is at least possible that the reorganization can be workable and that the Secretary of the Department of Energy will be able to manage the Department and we will be able to hold him accountable. I am going to go into that a little more in a few moments, but before I do, I want to talk a bit about the Department of Defense part of this bill because, as the chairman says, this is a very important contribution to the security of this Nation.

By increasing pay, by improving retirement, by enhancing retention, we are making, we hope, a significant contribution to the security of this Nation. The morale of our troops will be

given a boost when they see a bigger pay raise than they expected. The morale of our troops will be boosted when they see a better retirement package than they previously had. The morale of our troops, and indeed of all of our citizens, should be boosted when they see that the readiness of our forces is given a boost from this bill. So the defense part of this bill, I believe, makes a significant contribution to the well-being of the men and women in the military and to the security of this Nation.

The problem we had on this bill came from the DOE reorganization because the conference report is significantly different from what passed the Senate. What passed the Senate, after a great deal of debate, was a reorganization of the Department of Energy which reflected the recommendation of the Rudman panel that there be a semi-autonomous Department of Energy. I think most of us favored that. I surely do. But in a number of respects, this conference report goes beyond what the Senate passed by an overwhelming vote. And when we referred the language in the conference report to the Congressional Research Service and asked them to do an analysis for us, to tell us what the differences were and whether or not they really were relevant, whether or not they really were significant, whether or not they really limited the ability of the Secretary of Energy to run his Department, the CRS gave us their objective view of the conference report language. There are some parts of that CRS review which should make us all pause, and which made me pause.

The Congressional Research Service concluded, for instance, that the Secretary's authority over this new nuclear security administration, "may be problematic, in view of the overall scheme of the proposed legislation."

The CRS said the language in the conference report raises questions about "whether it is possible, or desirable in practice, to split policy and operations in organizational terms." And the CRS report asks whether the practice of insulating the staff offices of this new entity from the departmental staff offices "effectively vitiates the meaning of the earlier provisions assigning the Secretary full authority and control over any function of the Administration and its personnel."

Those are significant questions and potentially significant problems. On the other hand, there is language in this conference report which says that this new entity is established "within the Department of Energy," and therefore it is subject, obviously, to the direction and control of the Secretary. The conference report says that the Secretary of Energy—not the new head of this entity, an Under Secretary, but the Secretary himself—is responsible for "developing the security, counter-

intelligence, and intelligence policies of the Department."

The conference report says that the Secretary of Energy—not the new head of the entity, who is an Under Secretary, but the Secretary—is given continuing responsibility for the security and counterintelligence problems within the Department's nuclear energy defense programs. And there are a number of other provisions similar to that.

So it seems to me one can at least fairly argue that, given that authority to establish policies, one will then have the authority to ensure that policies are carried out. So we are going to have to monitor very carefully this new entity as it is implemented, assuming the President, of course, does not veto it. If the President does veto it, there is no certainty by any stretch of the imagination that the veto would be sustained. I am voting for this bill. I am always open to the argument of a President, if he decided to veto it, as to why the veto, in fact, was dealt.

But based on what is before us, it seems to me there is at least a reasonable prospect that the Secretary of Energy will be able to manage this Department. We intend to create a semi-autonomous entity—not a semi-accountable entity but a semi-autonomous entity. We intend to create here a semiautonomous entity, not a semiaccountable Secretary of Energy. We want that Secretary to be fully accountable, which means he must be able to manage, control, and direct his Department, the policies in that Department, and the implementation of those policies.

So I close by thanking our staff. I will not thank the pages since they apparently owe us one, since we kept them here late enough last night so they were relieved from some other duties. But I thank our staff for their great work in making this bill a reality.

I shall vote for this bill. I, again, thank the chairman for his reaching out to all members of the committee for contributions.

I yield the floor.

Mr. WARNER. Mr. President, I thank my distinguished colleague. This is a committee that works together as a team under our joint leadership.

The House of Representatives sent a strong signal which I hope, within the next 30 minutes, will likewise be sent by the Senate. That signal went worldwide to the men and women of the Armed Forces, many of whom are serving in harm's way to defend the very flag to which we pledged our allegiance today. That vote was 375 to 45. I urge all Senators to give, likewise, support to this bill.

As I close my remarks and say that this bill is for those men and women of the Armed Forces, I take note of the presence on the floor of our distinguished former chairman, Senator

THURMOND. There is no braver soldier who ever served in the Senate than our distinguished chairman.

Mr. THURMOND. Thank you very much.

Mr. WARNER. He will, I assume, be casting one of the very first votes for this bill.

I yield the floor.

Mr. BINGAMAN. Mr. President, I rise to offer my views on this year's Defense authorization conference report. I plan to vote for the conference report. It is a bill that, like other defense bills of the past, contains a great many excellent provisions that enhance our military capability and the quality of life for our service personnel and their families. My normal enthusiasm for the Defense bill this year is tempered, though, by a number of provisions that, in my view, do not serve the interest of national security well. I would like to review the positive aspects of the conference report first, though, before discussing its troubling aspects.

As a member of the Armed Services Committee, I have worked very hard to see that issues and programs that I care about were addressed in this conference report. I am pleased to say that many of the concerns that I raised in subcommittee, full committee, the floor, and finally, in conference have been met.

A few examples are worth emphasizing:

This conference report does a lot of very good things for the men and women in the military and their families. The services reported difficulties in recruiting and retaining key personnel during the past year—raising concerns that this might grow more serious in years to come.

In response, the conference report includes a 4.8 percent pay raise for military personnel, and raises the annual increase for service people by a half a percentage point above increases in the cost of living over the next five years. That's good news.

The conference report extends, and, in some important instances, increases special pay and bonuses for key skill categories that were due to expire at the end of this year.

Of particular interest to many New Mexico families at our Air Force bases at Holloman, Kirtland, and Cannon, junior and mid-career Air Force aviation officers could qualify for additional bonuses of \$25,000 for each year they promise to extend active duty service. That is good news in our State and for the Nation.

The conference report also increases authority for re-enlistment bonuses from \$45,000 to \$60,000.

For retirees and folks in the military contemplating retirement, the conference report fixes the inequity that penalized those who came under the Redux system after 1986. Those military personnel may now elect to trans-

fer to the old system, or to accept a \$30,000 bonus while remaining under the Redux program. Recent retirees and those soon to retire in New Mexico enthusiastically welcome this provision.

Veterans and their families will also benefit from a very important measure in this year's conference report—a change that have been advocating for the last couple of years. Any veteran's family seeking an honor guard at the funeral of one of our veterans is now guaranteed to have one. Uniformed personnel, the presentation of an American flag, and the playing taps will be provided in recognition for service to the nation whenever requested. That is good news for our veterans community.

There is another initiative for veterans that I strongly support in this conference report. It could lead to authorization for veterans to use National Guard armories to receive services and counseling regarding a wide spectrum of veterans' benefit programs. This measure could go a long way toward making it easier for our veterans to receive the benefits that they are due.

That is a bit about the "people part" of the conference report—an area where I think it has quite a bit to offer.

The conference report also makes some important contributions on key policy matters—for example, programs that have to do with preventing the proliferation of weapons of mass destruction, particularly through cooperative programs with Russia and other countries of the Newly Independent States.

The conference report includes, for example, \$475 million for the Cooperative Threat Reduction Program to accelerate the disarmament of Russian strategic weapons, assist in chemical weapons destruction, and support efforts to increase security for Russian nuclear materials in order to prevent them from being smuggled aboard. I urge the Congress to fully support this program through authorization and appropriation of the necessary funds. It remains fully in our own security interests to do so.

There is also funding for programs to prevent Russian weapons scientists from selling their skills to the higher bidder. The Initiatives for Proliferation Prevention and the Nuclear Cities Initiative will help us to keep that from happening, while at the same time building important people to people relationships that we hope will sustain improved relations between our nations during coming decades.

Again, although I believe these programs are worthy of more funding than they received, I am pleased that funding has been authorized and I urge the Congress to appropriate those funds as well.

This conference report also authorizes funds for another important coop-

erative program that will serve our security interest well—the Russian-American Observation Satellite program (RAMOS). RAMOS is being designed to take the uncertainty out of early warning of missile attacks. It is meant to ensure that in case a missile firing is detected, a military order to respond with nuclear missiles is not made in error. Fully funding a robust RAMOS program will greatly serve our nation's nuclear security. I urge the defense appropriators to ensure that those funds are available.

Looking toward the future of the Nation's military capability, this conference report includes funding for basic science and technology research in accordance with my hopes and intentions to increase that level of funding by 2 percent in real terms. That level of funding was not won without a fight, however, and I remain concerned that future defense budgets may fall short in this area. If that happens, the technological advantages that we have witnessed in the Persian Gulf and in the Balkans will erode quickly, and international military challenges could result in significant casualties and losses of expensive military equipment.

As you know, the conference report also authorizes funding for defense programs within the Department of Energy (DOE). This bill authorizes \$4.5 billion for DOE weapons programs including the science-based stockpile stewardship that enables the Department to certify the safety and reliability of our nuclear weapons without having to test them.

Stockpile Stewardship is providing challenging science to a new generation of scientists employed at the labs that will not only certify the stockpile, but assure the nation that the best scientific talent available continues to support science programs at our national laboratories such as those in my State, Sandia and Los Alamos.

These aspects of the Defense conference report are all very favorable, and normally I would vote for such a report with the greatest enthusiasm. My enthusiasm, though, is diminished by the provisions of the conference report dealing with the management of the Department of Energy. These provisions cause me deep concern, as I believe they will be damaging to our national security in the long term.

These troublesome provisions are largely found in Title 32 of the conference report. This is a wholly new Title that was inserted in conference. It was not part of the original Defense bill passed by the Senate or by the House. It differs substantially, in a few crucial respects, from the DOE reorganization proposals considered and agreed to by the Senate in the intelligence authorization bill.

Title 32 contains the most sweeping revisions in DOE organization since the founding of the agency in 1977. Yet,

there was not a single Members' meeting throughout the entire conference to discuss its provisions. When you consider the importance of our nuclear arsenal, the lack of a role for Members in fixing the terms of its reorganization is striking and very hard to justify.

The result is a statute that, in my view, will be exceptionally difficult to implement. Coping with the ambiguities and internal contradictions of Title 32 will needlessly distract the new administration and the Department of Energy from the mission of maintaining the safety and reliability of the nuclear stockpile. This is not just my personal view. The ranking member of the Senate Armed Services Committee commissioned a study of title 32 from the experts in law and government organization at the Congressional Research Service (CRS), after the conference report was filed. The CRS produced a sobering assessment of this new title, highlights of which my colleague has shared with us. I have also received an expression of deep concern from 43 State attorneys general about the impact of the changes that were made in Title 32 on the applicability of the Federal Facilities Compliance Act to the new administration. Their concern merits our attention, and I hope that the Armed Services Committee arranges for hearings at which they can present their views directly for our consideration.

In addition to these issues, the new title 32 creates what looks to me to be a complete muddle in the area of counterintelligence and responsibilities and authorities. The problems that the conference report create for DOE counterintelligence programs can best be described by looking at before-and-after organizational charts of counterintelligence responsibilities related to one of DOE's facilities, the Los Alamos National Laboratory.

Chart 1 shows the current flow of responsibility and authority for counterintelligence at DOE and Los Alamos. It is very simple, and Secretary Richardson is to be commended for putting it in place. The DOE Chief of Counterintelligence, Ed Curran, is in charge. He has hire-and-fire authority over the Chief of Counterintelligence at DOE facilities like Los Alamos. If we discover a loss of classified information at Los Alamos tomorrow, we know where to look for answers.

Chart 2 depicts the lines of authority that will exist under title 32. Secretary Richardson's reforms will be completely reversed. Under title 32, DOE will have two competing centers of control over counterintelligence in the nuclear weapons complex. Which of these individuals is in charge of counterintelligence? If you define "being in charge" as being able to issue direct commands to the labs, where the counterintelligence threat exists, it would appear that neither person is in charge.

The Director of DOE-wide Counterintelligence is statutorily forbidden from exercising any direct control over the laboratories. He can issue policy pronouncements, and has to go up through the Secretary of Energy and then down through 4 layers of bureaucracy to get in touch with a lab like Los Alamos.

And the Chief of Defense Nuclear Counterintelligence is not in a much better position, either. He also has to go up through his boss and down through a lateral chain of command to impose his will on anyone at the laboratories. He can talk to everyone, hence the dotted lines, but he cannot tell anyone anything definitive on his own authority.

The lack of clarity for counterintelligence responsibility in title 32 is perhaps the most ironic and distressing aspect of the whole DOE reorganization scheme. Right now, these responsibilities in the Department are clear, thanks to Secretary Richardson's reforms. When we started debating changes to DOE organization, the one change that everyone seemed to agree on was the need to have clarity on matters of counterintelligence. Yet, after this Defense bill is enacted, we will be back to the days of diffuse responsibility for counterintelligence.

I have no illusions that we are going to vote down this conference report because of the defects in title 32. There are too many other important things that got done right in this bill. But we have created a real muddle at the Department of Energy in the area of nuclear weapons and their management. We will have to come back in next year's Defense bill to fix it.

There is one other issue that we will have to address next year. That is the issue of polygraphs. The section on counterintelligence polygraphs in the conference report is a slight improvement over the corresponding provision in the Senate-passed Defense bill. But there are still fundamental problems with what we are asking DOE to do. We are asking DOE to use polygraphs as a screening tool—the one application where the scientific validity of polygraphs is most suspect. I don't have a big problem with using some forms of polygraphs in the context of an investigation, where there is already evidence of wrongdoing. There is scientific support for that sort of polygraph test. But polygraphs as a screening tool have little or no track record in the scientific literature. We shouldn't be using them in the nuclear weapons complex. And the way that DOE has proposed to use polygraphs in its recent Federal Register notice goes beyond what we actually call for in this bill. I have taken a public position in opposition to this proposed DOE rule on polygraphs, because it is not based on sound science and does not represent reasoned decision making, in my view.

I hope that DOE will rethink its proposed rule. This conference report, although it encourages the use of screening polygraphs, also gives DOE the flexibility to study the matter further. I hope that DOE will seek review from the National Academy of Sciences on the reliability of the types of polygraph screening it plans to implement. I also recommend that the DOE reconstitute and reconvene the Chiles Commission to study the rule's likely impact on the critical human resources needed to ensure the safety and reliability of the nuclear weapons stockpile. The Senate could, in my view, profit from such studies in revisiting this issue in next year's Defense bill.

In the end, then this year's conference report is more of a mixed bag than in most years. What we have done through the normal committee and conference process, on a bipartisan basis, has been done well, and we can be justly proud of it. What was done in a rushed and less cooperative fashion is much less satisfactory. I support the conference report overall, and I expect that the problems that have been needlessly created will manifest themselves for corrective action in fairly short order. I hope that when they do arise, we are able to address them in a more bipartisan and thoughtful way.

Mrs. MURRAY. Mr. President, I am very concerned about the provisions in this bill reorganizing the Department of Energy. In particular, I fear we are returning to the days of DOE "self regulation", which has historically translated into "no regulation" for environment, health and safety laws.

Senator WARNER and I will enter into a colloquy later that I hope will clarify the intent of this legislation regarding provisions critical to the safety of our workers and communities. We are particularly concerned about the autonomy of the newly-created, largely independent "National Nuclear Security Administration." We fear the creation of NNSA will recreate the institutional conditions that resulted in 50 years of environmental, safety, and health mismanagement at DOE facilities—estimated to cost up to \$200 billion to clean up. Hanford alone now receives appropriations of about \$1 billion/year to clean up the legacy left from decades of the Atomic Energy Commission and/or Department of Energy self-regulation.

I am heartened by Senator DOMENICI's statements in the press that we have little to fear in this regard. He is quoted in *USA Today* (9/16/99) as saying: "Nowhere does the legislation waive the application of environment or safety laws. What this legislation changes is not the statutory requirements, just the management structure responsible for complying with them." I will take him at his word that that is the intent. I ask unanimous consent to have the *USA Today* article printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From USA Today, Sept. 16, 1999]

NUCLEAR SECURITY SCARE COULD PUT SAFETY SECOND—DRIVEN BY SPY SCANDAL, LEGISLATION WOULD TAKE WEAPONS SITES OUT OF THE HANDS OF REGULATORS

[By Peter Eisler]

WASHINGTON.—U.S. nuclear weapons plants and labs, notorious as toxic and radioactive polluters, could be left outside the reach of environmental, health and safety regulators under management changes Congress is pushing to deal with security concerns.

Spurred by a spy scandal at the Los Alamos (N.M.) National Laboratory that highlighted security problems at weapons facilities nationwide, the House passed legislation Wednesday to put eight of the Energy Department's plants and labs under a new, semi-autonomous National Nuclear Security Administration (NNSA). Senate approval is expected soon.

The plan aims to free the sites from a mammoth Energy Department bureaucracy criticized for diluting protections against spies, thieves and saboteurs.

But it also leaves the NNSA largely on its own to make sure plants and labs meet environmental, health and worker safety laws. Federal oversight programs set up in the late '80s to address longtime contamination problems would lose virtually all jurisdiction over the facilities. And the states, which also have gained regulatory power over the weapons sites in recent years, complain that they, too, could lose authority.

The plan is reviving debates that have burned since the first atomic bombs rolled out of Los Alamos in 1945.

On one hand, recent reports that Chinese spies penetrated key facilities to steal an array of U.S. nuclear secrets highlight the program's need for secrecy and insularity. On the other, the program has a record of poisoning workers and communities with toxic and radioactive material when left on its own.

"For over four decades, (the nuclear weapons program) operated with no external and little internal oversight of environment, safety and health . . . (with) disastrous consequences," says a recent letter to lawmakers from the attorneys general of 45 states. "We should not return to (that) era."

The National Governors' Association and former Energy officials from the Clinton and Bush administrations also oppose the reorganization plan. And Energy Secretary Bill Richardson says he probably will urge a presidential veto.

But a veto would be politically and practically difficult, in large part because the plan is folded into a bill authorizing unrelated but popular defense programs, including a military pay raise. President Clinton would have to reject the entire bill, and aides concede that would be a tough call.

"The bottom line is we have a 20-year-old problem" with security at weapons plants and labs, says Rep. Mac Thornberry, R-Texas, a chief backer of the reorganization plan. Those problems, he says, lie in Energy Department management that is "cluttered up worrying about refrigerator coolant standards" and other missions—not about weapons production and safeguarding secrets.

"I don't think the Congress or the administration wants to end this year without making some reforms," Thornberry says.

CHANGING MISSIONS

In the scramble to win the Cold War arms race, the U.S. nuclear weapons program op-

erated largely in secret, churning out warheads with a doggedness that left little room for environmental, health and safety concerns. With almost no outside supervision, weapons facilities put workers in harm's way without telling them and illegally dumped millions of tons of toxic and radioactive waste on and around their sites.

In communities from Richland, Wash., to Oak Ridge, Tenn., soil and groundwater contamination is widespread. Several communities have sued the Energy Department, claiming health problems.

Since the United States halted nuclear arms production in 1989, the focus at many sites has shifted to environmental restoration. Even those facilities still doing weapons work—refining the current nuclear arsenal and disassembling weapons eliminated by global treaties—spend up to half their money on cleanup. The work is expected to take decades and cost up to \$200 billion.

Beginning in the late '80s, environmental, health and safety officials who oversee that work gained far more sway over the plants and the labs. States, in particular, picked up vast new powers in 1992, when Congress stripped weapons sites' immunity from local regulation.

Now, the spy scandal that erupted this spring at Los Alamos raises questions about whether weapons sites lost track of security concerns amid their changing missions.

A congressional report in May suggested that China stole information throughout the 1980s and perhaps into the early '90s on every U.S. warhead. Los Alamos scientist Wen Ho Lee was pegged as a suspect and fired for alleged security violations, though no criminal charges have been filed and he denies wrongdoing.

The episode drew attention to security problems at weapons facilities nationwide, leading to a damning investigation by a presidential board.

"Never before has this panel found such a cavalier attitude toward one of the most serious responsibilities in the federal government—control of the design information related to nuclear weapons," the President's Foreign Intelligence Advisory Board reported.

Throughout the '90s, senior management at the Energy Department failed repeatedly to act on security officials' reports that budget cuts and institutional inattention were weakening safeguards at weapons sites.

Supporters of Congress' restructuring plan say the problem is a lack of clear responsibility for facilities' security and argue that the weapons sites must be put on their own, for everything from security to environmental restoration, so they're clearly accountable for all aspects of their operation.

The plan puts the new weapons agency on its own with the Energy Department, giving it autonomy in key areas:

All policy matters, including personnel, legal affairs and budget decisions; security, intelligence and counterintelligence operations; and environmental, health and safety programs.

"Nowhere does the legislation waive the application of environment or safety laws," says Sen. Pete Domenici, R-NM., a chief sponsor. "What this legislation changes is not the statutory requirements, just the management structure responsible for complying" with them.

BAD OMENS

Opponents of the congressional plan note that weapons plants and labs have been on their own before, and their environmental, health and safety records were abysmal.

"Production of nuclear weapons has always been their whole role in life; everything else is secondary," says Leo Duffy, assistant Energy secretary in the Bush administration.

"All the environmental damage, the jeopardy to employees' safety and health, almost none of this was identified until 1988," when outside regulators went in, says Duffy, who ran those early oversight programs.

Duffy and other critics of Congress' plan suggest the answer is to set up clearer responsibility for security within the Energy Department. But they say oversight on environmental, safety and health matters should remain outside the purview of those running weapons programs. They also want the legislation's language to more clearly retain states' jurisdiction over the sites.

Proponents dismiss such concerns as unfounded. And they note that many of the plants and labs with the worst records on pollution and worker safety no longer do much weapons work, so Congress' plans wouldn't necessarily change their oversight.

Among them: the Hanford nuclear reservation in western Washington, where poorly stored waste has fouled water supplies; the Rocky Flats plant outside Denver, where large tracts of land suffer from radioactive contamination; and uranium processing plants in Cincinnati and Paducah, Ky., where workers were unknowingly exposed to radioactivity.

But sites that would come under new management also have their share of problems.

Just this month, for example, the Department of Energy's office of environment, safety and health cited the Los Alamos lab for two incidents in which workers were exposed to radioactive material that wasn't stored or handled properly. In 1998, the Lawrence Livermore lab was forced to shut down a plutonium storage facility after repeated failures to follow procedures meant to prevent an uncontrolled nuclear reaction.

Congress' plan to have those sites regulated by an agency primarily devoted to weapons work "would undermine over a decade of progress to improve environment and safety standards," Richardson says.

The reorganization would leave the Energy secretary with power to fire the head of the weapons agency, but neither he nor any other Energy officials would have direct control over operations.

If the secretary suspected wrongdoing at a facility, he could assign outside inspectors and order the agency director to implement their recommendations. But if the director refused, the secretary's only recourse would be to replace him, a proposition that would require congressional consent and could take months.

The Congressional Research Service, Congress' nonpartisan research arm, reported last week that such an arrangement "may be problematic" because it "tends to make secretarial authority less direct."

Sen. Carl Levin, D-Mich., who requested the study, wants Congress to rework the plan.

Officials in the states also want changes, arguing that the legislation's language could return weapons plants and labs to the pre-1992 era when they were immune from state environmental and safety laws.

The bill's proponents say it does no such thing, suggesting that foes are nitpicking the plan simply because they don't want to oppose it outright.

"This is a chance to fix a serious (security) problem," says Thornberry, "and I don't think turf disputes or jurisdictional disputes should get in the way."

Mrs. MURRAY. Unfortunately, 46 State Attorneys General have written voicing their "serious concerns" with many of this bill's provisions. They fear title XXXII of the bill would "weaken the existing internal and external oversight structure for DOE's environmental, safety and health operations."

I am very concerned about the DOE restricting provisions of this bill and so am tempted to vote against it. However, there are many provisions in the DOD authorization bill that will strengthen our country, our national defense, and our cleanup programs at DOE sites. I am particularly proud to support our belated efforts to increase the pay of our military personnel.

In addition, I very much appreciate Chairman WARNER's agreement to enter into the colloquy that follows. Therefore, I will support this bill in the hopes that this colloquy and the public comments made by drafters of title XXXII will ensure continuing compliance with environment, safety, and health laws and orders by the NNSA.

I hope we can go back to the drawing board on the DOE restructuring provisions either through a veto of the bill this year or a new attempt to craft a better solution next year.

Thank you, again, Chairman WARNER for your work on the overall bill and your colloquy with me on the important subject of protecting our communities and environment at DOE facilities.

TITLE XXXII

Mrs. MURRAY. Mr. President, I would like to enter into a colloquy regarding Title XXXII of the bill regarding Department of Energy restructuring. I understand the intent of this title was to improve security at Department facilities. Unfortunately, I am concerned that some of the language might cause confusion with regard to the obligation of the National Nuclear Security Administration to comply with environmental laws. From remarks I have seen in the popular press, I understand this was not the author's intent and I would like to clarify several provisions.

Mr. WARNER. I thank the Senator for her interest in helping clarify these important provisions. I agree we must continue to protect the environment, safety and health at DOE facilities.

Mrs. MURRAY. First, Title XXXII of the Defense Authorization bill has not been drafted to impair state regulatory authority or to eliminate DOE's internal oversight of environment, safety and health. Correct?

Mr. WARNER. That is correct. Section 3261 provides: "COMPLIANCE REQUIRED.—The Administrator [of the National Nuclear Security Administration] shall ensure that the Administration complies with all applicable environmental, safety, and health statutes and substantive requirements. PROCEDURE

REQUIRED.—The Administrator shall develop procedures for meeting such requirements. RULE OF CONSTRUCTION.—Nothing in this title shall diminish the authority of the Secretary of Energy to ascertain and ensure that such compliance occurs." Section 3261 was included to make clear NNSA's obligation to continue to comply with environmental laws and DOE environmental orders.

Mrs. MURRAY. It is clear then that this provision does not affect the obligation of the Administrator of the NNSA and the Secretary of Energy, to comply with existing environmental laws and DOE environmental orders. Indeed, it makes explicit NNSA's legal obligation to comply with all applicable environmental laws and regulations, and provides that the Administrator of the NNSA has primary responsibility and accountability for environmental compliance programs at NNSA facilities. Furthermore, Section 3261 does not affect or abrogate existing waivers of sovereign immunity in environmental laws. Finally, Section 3261 retains the Secretary of Energy's existing authority over environmental compliance issues at the nine sites that will be incorporated into the NNSA. If compliance problems arise, the Secretary may investigate them, which can include requesting the assistance of staff from DOE's Environmental Management or Environmental, Health & Safety programs, and impose corrective actions when the Secretary identifies deficiencies. Is this a correct interpretation?

Mr. WARNER. This is the correct interpretation of Section 3261. Retaining Secretarial authorities over environmental compliance is an essential element of Title XXXII.

Mr. DOMENICI. Mr. President, I rise in support of the National Defense Authorization Act for Fiscal Year 2000 Conference Report before us today. Chairman WARNER and his Committee have done an excellent job in prioritizing available funds to provide for our national defense.

Any deficiencies in this authorization bill are a result of overall budget constraints and expanded commitments rather than inattention to our nation's vital security needs. I appreciate the Committees efforts to bring direct spending under control in this bill and conform to the Budget Act limitations.

As Chairman of the Budget Committee and a member of the Defense Appropriations Subcommittee I know how difficult the exercise of prioritizing funds is. Every year all of the Congressional Defense Committees face tough choices as to how to best allocate funding so as to meet our immediate defense needs without sacrificing our future. As budgets shrink and global commitments swell, this task becomes increasingly difficult.

Mr. President, I would like to underscore the problems Congress currently faces. Here my message is two-fold: first, we do not live in a peaceful world; and, secondly, we cannot defend our national interests if we are not committed to a strong military.

I, and many of my colleagues, believe that U.S. prosperity rests on a strong, dedicated military. Everyone has heard the phrase "peace through strength." Perhaps some believe that having been coined during the Cold War, this adage is anachronistic. I strongly disagree.

Continued economic growth and the absence of a tangible, imminent threat to our security breed complacency. Complacency characterizes the current attitude toward our national security.

As victors of the Cold War we appear to have a false sense of security about this new era. Thus far, the results of U.S. military intervention have not offered evidence that we should worry.

However, our current military superiority is a product of the massive investments made during the Cold War. This Administration has not sustained the necessary investments. At the same time, they've increased U.S. military commitments overseas—often without clearly defining the strategic objective of those deployments.

Complacency regarding our nation's strategic interests sends a message that ripples through every level of our national security apparatus—from our current inability to recruit the requisite talent to the trained pilots, technicians, and mid-career military professionals leaving for private sector jobs.

Although diffuse and more difficult to discern, threats to our national security do exist.

Instability in numerous regions throughout the world create security risks with adverse economic, and potentially strategic, impact. Proliferation of weapons of mass destruction also presents a grave threat. NATO intervention in Kosovo further aggravated potential threats to our national security—specifically, damage to our relations with Russia and China. In addition, Kosovo deployments will stretch an already overextended military to its limits—not to mention a limited, but not insignificant, contribution to peacekeeping efforts in East Timor.

Peace through strength is still an appropriate theme. Complacency erodes our potential. If we demonstrate a strong commitment to the men and women in uniform, they will have a good reason to join and to stay.

Mr. President, with those thoughts in mind, I would like to briefly discuss the work of Senator WARNER's Committee on the Conference Report before us today.

First, a critical initial step in meeting our commitment to the men and women in uniform is found in the pay

raises, incentive pay, and pension reforms found in this bill. As of January 1 next year, all members of the uniformed services will receive a 4.8% increase in their monthly pay. Furthermore, pay increases beyond that date will be one half a percent above inflation.

The Conference Report outlines special incentive pay and enlistment bonuses to a variety of needed specialists or highly-trained personnel in our armed forces.

Lastly, improvements to military retirement pay and eligibility in the Thrift Savings Plan will provide additional reasons to join and continue serving in our military services.

According to a GAO study requested by myself and Senator STEVENS military pay and retirement packages are not the core reasons for our retention problems. However, these improvements offer an important first step toward addressing quality of life shortfalls in the lives of our military men and women.

The Committee also increased readiness funding beyond the Administration's request. In addition to the \$2.25 billion of emergency money, this conference report adds about \$1.6 billion in readiness-related accounts.

The President's budget only included \$5.4 billion in military construction to fund \$8.5 billion worth of projects. This "split funding" approach was to be a one-time accounting gimmick to create room for other spending and still remain under the budget caps. I applaud the Authorization Committees' decision not to use this approach for military construction.

The pay and pension reforms as well as additional funding for military readiness and military construction will alleviate some of the problems in the immediate term.

Necessary still is to address the foreign policy decisions that have led to the high operational tempo. More money cannot resolve questions regarding overseas operations or the organizational ability of any one military branch to respond to post-Cold War deployments.

These are systemic problems borne of both domestic and foreign policy decisions. Unless and until we clarify the U.S. position and responsibilities in this new era, we will not know the rules for engagement or intervention. This dilemma has profound implications for the size, structure, and capabilities of our military.

There are several items of significant impact on the state of New Mexico included in this authorization bill. I would like to briefly discuss a few of them.

Although foremost a matter of national security, the provisions on the Department of Energy restructuring also will have a substantial impact on thousands of workers in New Mexico.

These provisions ensure that brilliant science and tight security are compatible within our nuclear weapons infrastructure.

Mr. President, I remind my colleagues that the President's Foreign Intelligence Advisory Board (PFIAB) Report demanded legislative changes. It clearly stated, "The Department of Energy is a dysfunctional bureaucracy that has proven incapable of reforming itself." The PFIAB Report's specific recommendations included:

Creation of a new, semi-autonomous Agency for Nuclear Stewardship.

Streamline the Nuclear Stewardship management structure.

Ensure effective administration of safeguards, security, and counterintelligence at all the weapons labs and plants by creating a coherent security/CI structure within the new agency.

I and my colleagues, Senator KYL and Senator MURKOWSKI, followed these recommendations closely in drafting the legislation for DOE restructuring. The creation of a semi-autonomous agency for our nuclear weapons work will implement a true "Chain of Command" approach, with all the discipline this entails. I truly believe that this approach, if it had been used in the past, may have avoided some of these security problems and will help us avoid them in the future.

These changes are desperately needed at the Department of Energy, and they must be made now.

Another national defense issue that has substantial implications for New Mexico is the McGregor Range withdrawal.

McGregor Range is one of six military parcels withdrawn from public domain in 1986. These parcels comprise nearly 30 percent of the Department of Defense's 25 million acres. McGregor Range comprises nearly 700,000 of Fort Bliss's 1.12 million acres. The Fort Bliss garrison is adjacent to El Paso, Texas, but McGregor Range is located entirely in New Mexico.

McGregor range is vital to military training and readiness. Fort Bliss has a critical role as a national center for air defense, and McGregor Range is essential for fulfilling that role. McGregor Range is the only range in the United States capable of training America's air and missile defense forces. Because all CONUS Patriot forces are stationed at Fort Bliss they depend on McGregor for the training needed to ensure their full readiness prior to deployment.

There is strong regional support for this renewal. 176 public comments expressed support for the Army's preferred alternative. An additional 26 expressed support for one of the other alternatives. The provisions in this bill will continue historic non-military uses of the range which include livestock grazing and hunting for 25 years.

Military training and testing requirements for McGregor Range are foreseen

for at least the next 50-years based on weapons systems that are either currently fielded or are planned for fielding in the near future. For this reason, the Army's Environmental Impact Statement preferred a 50-year withdrawal.

My amendment to the Senate Defense Appropriations bill includes a 50-year withdrawal. I am pleased with the work of the Authorization Committee, but I still firmly believe that 25 years is not an adequate period of time for withdrawal of the McGregor Range.

Many important programs for the Air Force Research Laboratory at Kirtland were authorized by the conferees. Aerospace propulsion programs at Phillips were increased by \$6 million. An increase of \$28.6 million above the \$115.3 million budget request was authorized for Phillips' Exploratory Development programs. Advanced Spacecraft Technology programs received an additional \$19.5 million authorization, including \$5 million for the Scorpius Low-Cost Launch program.

Directed energy programs comprise a substantial proportion of New Mexico's defense related research, development, and testing initiatives. Different services are working on a variety of laser weapons to achieve better and cheaper cost-per-kill defenses against missiles. Chemical lasers development for the Airborne and Space Based Laser programs are authorized at almost \$500 million annually. The pioneering work and ongoing basic research for these systems is at Phillips in Albuquerque.

With a view toward the future of laser weapons, this conference report requires the Secretary of Defense to develop a unified DoD laser master plan. The objective is to maximize the return on our investment in these important technologies by coordinating these efforts across the services and provide a roadmap for future development. I strongly support this effort.

The conferees also provided an additional \$20 million authorization for solid state laser development and \$10 million for the Tactical High Energy Laser (THEL), programs which are tested at the High Energy Laser Test Facility (HELSTF) at White Sands Missile Range. HELSTF is also designated as the Army's Center of Excellence for all Army test and evaluation activities.

An additional \$4 million is authorized for the Counterterror Technical Support program. This funding will support the cutting-edge research in blast mitigation materials and structures at New Mexico Tech.

Although the President's request included no funding for military construction at New Mexico's defense installations, the conferees added \$9.8 million to renovate 76 units of housing at Holloman Air Force base and \$14

million to replace cracked and deteriorating airfield ramps at Kirtland. Another \$8.1 million is authorized to repair one of the main runways at Cannon Air Force base. In addition, the New Mexico Air National Guard's Composite Support Complex at Kirtland is authorized at \$9.7 million. All of these projects address quality of life or operational needs of the utmost importance to personnel at these installations.

Mr. President, again, I would like to thank Senator WARNER and the members of his Committee for their diligent work in allocating tight resources in the best feasible manner.

At the same time, I would like to reiterate my view that many of the problems we currently face in our Defense Committees result from inadequate definition of U.S. interests.

The systemic problems—retention, readiness, operational tempo—are a product of domestic and foreign policy decisions. We have neither clarified the U.S. position in the current international environment nor have we established relevant rules for U.S. engagement. Instead, we rely more and more on our military to compensate for failed diplomacy. Or we ask our soldiers to play referee in regions of the world teeming with ethnic conflict and territorial disputes.

Without first defining our national interest in this new era, we cannot pretend to downsize, right-size, or structure our military to adequately defend U.S. interests throughout the world. More importantly, without a clear picture of the appropriate military structure and necessary force capabilities we cannot answer the \$280 billion question: How much is enough?

Mr. KENNEDY. Mr. President, I support the Department of Defense authorization conference report for fiscal year 2000, and I congratulate our new chairman, Senator JOHN WARNER, on completing this first conference report as chairman. While I am disappointed that some provisions in the Senate version of the bill were dropped, on the whole it is an excellent piece of legislation and I am pleased to support it.

My most important concern is over the changes made in Title 32, which establishes the National Nuclear Security Administration and reorganizes the Department of Energy's nuclear laboratories. When we first considered this issue on the intelligence authorization bill in July, the Senate passed the Kyl amendment, which reorganized these nuclear labs by a vote of 96-1. Unfortunately, during conference deliberations, these provisions were substantially rewritten. Secretary Richardson has expressed his strong objections to these provisions, and states that they will make it more difficult for the Secretary of energy to oversee the labs. I hope that the Armed Services Committee will work with Secretary Richardson to address his con-

cerns in the fiscal year 2001 Defense authorization bill.

America has faced many global challenges this year that have re-emphasized the need for our Nation to maintain a well-trained and well-equipped military. This year's crisis in Kosovo was particularly challenging and required the Nation's Armed Forces to perform a wide variety of duties, including peacekeeping and humanitarian activities, in addition to sustained combat operations. Our service men and women performed superbly in all that was asked of them, and I commend them on their dedication, professionalism, and unwavering devotion to duty. Without their skill, we would not be as close to peace in the Balkans as we are today.

It is the duty of Congress to ensure that we provide our military with what is needed to meet the international challenges common in the post-cold-war era. America must be ready, when necessary, to protect its vital interests and encourage global stability. The fiscal year 2000 Defense conference report is a positive step toward ensuring that the Nation's military is prepared to meet the challenges of the years ahead.

The cornerstone of the military's preeminence rests on its most critical component, its people. Without adequate number of men and women willing to serve in the military, the Nation would not be able to respond to crises around the globe. We need cutting-edge weapon systems, but we also need dedicated men and women to operate these systems. The conference report contains many new initiatives and constructive changes in personnel policies that will help to ensure that we adequately provide for our servicemen and women and their families.

Specifically, the conference report provides a fully-funded and well-deserved 4.8 percent pay raise for military personnel, as well as expanded authority to offer additional pay and other incentives to retain service members in critical military specialties. The conference report also improves retirement benefits by addressing service members' concerns with the current system and approving their participation in the Thrift Savings Plan.

I am very disappointed, however, that Senator CLELAND's amendment to improve and expand GI bill benefits for servicemen and women was not included in the conference report. The Montgomery GI bill has been a very successful and important program for the military. But, in order for the GI bill to continue to be a valuable program, it must evolve as our military forces evolve. Access to higher education is an increasingly important issue for our servicemen and women in today's all-volunteer, professional military. Senator CLELAND's GI bill provisions, included in the Senate version of the bill, made needed im-

provements in the GI bill that would have enhanced the program's value and benefit to our troops, and would have improved its effectiveness as a recruiting tool. I commend Senator CLELAND on his leadership on these provisions and I urge my colleagues to reconsider these innovative ideas next year.

The DOD authorization conference report also reauthorizes and enhances the very successful Troops-to-Teachers program. Over the next ten years, the Nation's schools will need to hire two million new teachers to fill their classrooms. Troops-to-Teachers is helping to meet that challenge by recruiting and training servicemen and women to become teachers in public schools. This program was established by Congress in 1993 and has already placed over 3,000 servicemen and women in elementary and secondary schools in 48 states. The conference report also provides for the transfer of this program to the Department of Education, so that it will be coordinated with other federal education programs that are helping communities to improve their public schools.

Concern for our military personnel doesn't end with the active duty servicemember, but with the whole military family. Well over half of the members of today's military are married, and in many cases both parents are employed. The military also contains many single mothers and fathers. All of these individuals have unique characteristics and needs that must be recognized so that we can encourage their continued service and careers in the armed forces.

The conference report contains a provision, which I strongly supported, authorizing the Secretary of Defense to provide financial assistance for child care services and youth programs for members of the Armed Forces and their families. These expanded child care provisions will ensure that many more military families have access to quality childcare and after-school care for their children.

Also, military families are not immune to the epidemic of domestic violence that confronts the rest of America. We have a responsibility to military families to help prevent domestic violence, and to protect the victims when abuse occurs.

An important provision in this year's conference report requires the Secretary of Defense to appoint a military-civilian task force to review military policies on domestic violence. This task force, comprised of military, DOD, law enforcement personnel, and civilian advocates for battered women and children, will work with the Secretary of Defense to establish Department-wide standards for combating domestic violence.

These initiatives will include standard formats for memorandums of understanding between the armed services and local law enforcement authorities for responding to domestic violence; a requirement that commanding officers must provide a written copy of any no-contact or restraining order to victims of abuse; standard guidance for commanding officers on considering criminal charges in cases of domestic violence; and a standard training program for all commanding officers on domestic violence.

This provision also requires the Department to establish a database, the contents of which will be annually reported to Congress. The information will include each domestic violence incident reported to military authorities and how that incident was resolved. This provision also requires the military-civilian task force to report to Congress annually about the progress made in combating domestic violence in the military.

The conference report also takes a number of worthwhile steps to address equipment modernization requirements that have been deferred for too long. The chairwoman of the Seapower Subcommittee, Senator SNOWE, took the lead this year in advocating a strong shipbuilding budget, as well as a strong research and development budget, for the Navy and Marine Corps. It was a privilege to work with her this year, and, I am pleased that this conference report takes these important steps to ensure that the Navy has the ships, submarines, and other equipment needed to sustain its operations throughout the world.

The conference report authorizes the extension of the DDG-51 Destroyer multi-year procurement into fiscal years 2002 and 2003 and increases the number of ships to be built from 12 to 18 ships. The conference report also authorizes the Navy to enter into a five-year multi-year procurement contract for the F/A-18E/F Super Hornet, and increases the number of Marine Corps MV-22 Osprey tilt-rotor aircraft from 10 to 12. These are all strong steps in strengthening the readiness of the Nation's Navy-Marine Corps team.

Procurement isn't the only area where we need to strengthen our investment. We also need to strengthen investment in science and technology. Last year, the Defense authorization bill called for a 2 percent annual increase, above inflation, in military spending on science and technology from 2000 to 2008. Unfortunately, the Department's proposed fiscal year 2000 budget reduced spending on science and technology programs. The Air Force alone was slated for \$95 million in cuts in science and technology funding. Such a decline would have been detrimental to national defense, particularly when the battlefield environment is becoming more and more reliant on high technology.

Fortunately, thanks in great part to the chairman of the Emerging Threats and Technology Subcommittee, Senator ROBERTS, and his ranking member, Senator BINGAMAN, Congress restored much of this Air Force science and technology funding. This restoration will help to ensure that high quality scientists and engineers are available to conduct research to address the Department's technology needs for the future. Congress has taken a clear position in support of maintaining sound investments in Defense science and technology programs. I urge the Department to request a strong science and technology budget next year, one that will ensure the future of these important programs.

One of the most significant of these science and technology fields is cybersecurity. The growing frequency and sophistication of attacks on the Department of Defense's computer systems are cause for concern, and they highlight the need for improved protection of the nation's critical defense networks. This conference report includes a substantial increase in research and development for defenses against cyber attacks, and this increase will greatly improve the Department's focus on this emerging threat.

Existing threats from the cold war are also addressed in this legislation. Financial assistance to the nations of the former Soviet Union for non-proliferation activities such as the Nunn-Lugar Comprehensive Threat Reduction programs is essential for our national security. I commend the administration's plans to continue funding these valuable initiatives, and I commend a Congress' support for them.

One of the most serious threats to our national security is the danger of terrorism, particularly using biological, chemical or nuclear weapons of mass destruction. We must do all we can to prevent our enemies from acquiring these devastating weapons, and do all we can to keep terrorists from being able to conduct an attack on our nation. Significant progress has been made to strengthen the nation's response to such attacks, but more must be done. The conference report strengthens counter-terrorism activities and increases support for the National Guard teams that are part of this important effort.

Again, I commend my colleagues on the Armed Services Committee for their leadership on these important national security issues. This conference report is essential for our national security in the years ahead, and I urge the Senate to approve it.

Mr. DEWINE. Mr. President, I rise today to discuss a very important issue concerning the Department of Energy and its ability to secure nuclear information. Nuclear security is imperative to this nation, and after the scandals in the last year, Americans have ques-

tioned the ability of the Department of Energy to keep nuclear information secure. As a result, Senator WARNER, Chairman of the Armed Services Committee and Ranking Member LEVIN included legislation in the Defense Authorization Conference Report that creates a new division within the Department to restore nuclear security. I applaud their efforts.

However, Mr. President, I am concerned about the potential for unintended consequences as a result of the Department of Energy reorganization. Specifically, the attorneys general of 46 states, including the State of Ohio, wrote to Congress stating that the 1992 Department of Energy reforms which clarify that states have regulatory authority of the Department of Energy's hazardous waste management and cleanup could be undermined by this legislation. The attorneys general believe that this legislation could allow the Federal Government to abandon its commitment to "environmental, health and safety requirements" at Energy Department facilities nationwide. This is troubling for the State of Ohio, which has three former Department of Energy nuclear facilities—the Portsmouth Gaseous Diffusion Plant, Fernald, and the Mound Nuclear Facility. Each facility is at a different stage of cleanup, and recent revelations of plutonium contamination at the Portsmouth facility only emphasize the need for strong environmental, health, and safety requirements at these DOE facilities.

While I have heard the concerns of the attorneys general, I am assured by the Armed Services Committee that the intent of this legislation is not to exempt nuclear facilities from state environmental regulations and requirements or worker safety and health regulations. I am further assured that if there are any unintended consequences, Congress will rectify these problems.

Mr. ROBB. Mr. President, the Conference Report on the National Defense Authorization Act before us today makes a healthy increase of over \$8 billion to the President's request. This reflects concerns by the Congress that readiness has eroded to a point where our military is having to take significant risks in its day-to-day operations.

Many of our colleagues are aware that we have sized our armed forces to engage not only in two major theater wars that break out nearly simultaneously, but also to handle the Bosnias, Kosovos and other smaller-scale contingencies that challenge our interests overseas. For the first time since we adopted our 2-war strategy not long after the end of the Cold War, the commanders in charge of our warfighting forces are warning the Congress—again for the first time in the post Cold War era—that the risks in our ability to fight in that second theater have gone from moderate to high.

This risk is not merely some esoteric metric that only some military strategists can comprehend. Rather, the dangers are that we will lose an unacceptable number of men and women in battle, that we will lose excessive territory in the initial phases of battle, and that battles will last much longer than they would with a more capable force.

This is a serious warning—not one we should take lightly. The military challenges to the U.S. in the decades ahead are ill-defined and very difficult to predict. While the Chairman of the Joint Chiefs has signaled a significant drawdown in Bosnia in the near future, while our commitment of troops to Kosovo is relatively small compared to those of our European allies, and while signs of progress on the Korean peninsula are making news this week, we also see the tragedy in East Timor, renewed Chinese threats against Taiwan, and rebel action in Russia, all of which remind us of the extraordinary instabilities that we will face in the next century.

Whether we will see more or less conflict is unclear, but the growing competition for fixed resources in impoverished regions where populations grow unabated suggests that civil and interstate strife will only worsen. These strains will also spawn terrorists—including those embittered by their harsh circumstances and in particular those who feel they have nothing to lose.

Decisive action, as we saw by the U.S. and others in Bosnia and Kosovo, will, we hope, deter future conflicts and gross human rights violations. But the speed with which the tragedy in East Timor developed on the heels of NATO's victory in Kosovo tempers such optimism. Ultimately, a combination of resolute determination to defeat aggression, strong support for democracies, and effective means for improving the quality of life for all is the best path to ensure we don't have to send our young men and women into harm's way repeatedly in the twenty first century.

This conference report goes a long way toward ensuring we will be ready in the years to come. It invests in new weapons to the tune of three billion dollars over the FY 2000 Administration's request, and looks to the distant future with an increase for research and development of almost two billion dollars over the request. Readiness is increased by about 1.5 billion dollars. More importantly, this bill focusses on our greatest asset—our soldiers, sailors, airmen and marines—that ultimately make the defining difference between victory and defeat. With a significant pay raise and retirement reforms, the bill meets head on a continuing crisis in recruiting and retention. I was particularly pleased that the Senate and conferees agreed to provisions I had included in an earlier bill,

S. 4, to focus pay increases on specialties—such as aviators—where retention and recruiting problems are particularly severe.

At a time when we are watching every defense dollar so closely, I am disappointed that we did not do much more in this bill to rid the Department of Defense of so many wasteful expenditures. Across the nation, we are now obligating in excess of 3 billion dollars a year to pay for utilities, to maintain buildings and roadways, and to operate equipment on bases that are unneeded by our military. We are likewise spending billions on weapons and research programs that the Department of Defense did not request but was forced to pursue by the Congress. We watch the Department waste hundreds of millions of dollars due to misguided acquisition policies, poor oversight of inventories, and service duplication of effort. These are difficult problems to fix—due either to political inertia or sheer organizational complexity, but nonetheless we should and can do much more.

Finally, Mr. President, I want to comment briefly on this bill's attempt to reorganize the entire Department of Energy. While PRC espionage has severely damaging consequences for long-term U.S. security, rushing to restructure a department with such vital responsibilities is not, in my view, prudent oversight on our part. In short, had the changes included here been instituted two decades ago, it is unclear that these changes would have had any impact on the PRC's ability to garner intelligence on our nuclear weapons. Indeed, one might even make the case that the bill will worsen this situation. I intend to track this matter closely in the years ahead and to support necessary modifications of this language as the reorganization proceeds.

Mr. President, on balance, this is a very good bill that does much to fix military readiness and other problems. I support its passage and urge my colleagues to support it as well.

Mr. MCCAIN. Mr. President, I would like to take this opportunity to offer some comments in support of the National Defense Authorization Act for Fiscal Year 2000. Since Operation Desert Storm in 1991, I have been extremely concerned with the drastic decline in funding for our Armed Services. We have all watched as the military lost more and more of its highly trained warriors, as the equipment aged year after year with few spare parts and no replacements, and as the infrastructure at our military bases fell into disrepair. Today, I am cautiously optimistic that we have finally, if belatedly, recognized serious readiness shortfalls and are taking steps to correct them. That this bill represents a 4.4 percent increase over the current fiscal year's level is a step in the right direction.

I am most heartened by the package of personnel benefits that are incor-

porated in this bill. Several identified shortcomings in pay and retirement benefits have been addressed. Pay table reform brings the focus of the pay raises to the middle leadership in both the officer and enlisted ranks. Repealing REDUX brings equity across the military for retirement benefits. Securing higher annual pay raises takes the first step to closing the pay gap between military personnel and their civilian counterparts. Implementing a Thrift Savings Plan for military personnel will help retain our dedicated soldiers, sailors, airmen, and marines.

Two critical areas of our military that begin to be addressed in this bill are the shortage of spare parts and the lack of replacement equipment. In every branch of the service, examples abound of equipment being utilized far in excess of its intended service life. In many cases the equipment is older than the operator and costs more and more each year to maintain. This bill funds spare parts programs to allow our equipment to be fully combat ready, and funds many follow-on systems that will directly benefit the war fighter.

This trend must continue in the years to come. Maintaining a viable military is a commitment, not a once-a-decade afterthought.

While I applaud the effort to bolster some of the areas of our military that have been under funded for the last 10 years, I am disheartened that, yet again, Congress has failed to take two of the most meaningful steps to free more dollars for our defense budget. The first of these is the continued and reprehensible practice of spending billions of dollars on programs that the armed services did not ask for and, in many cases, do not need. Allocating funding from an already tight budget for programs added primarily for parochial reasons continues to undermine honest efforts to adequately provide for the national defense.

I applaud the Committee chairman's effort to minimize the number of member adds not reflected on service Unfunded Priority Lists. Committee staff should be commended for their great efforts in carefully drafting legislation and checking amendments with the Service's Unfunded Priority Lists and the Future Years Defense Plan—ensuring that, in most cases, the Services' priorities were funded. There is no question, however, that enormous sums continue to be earmarked as much for political as for operational reasons. In fact, my concern about the continued viability of the Unfunded Priority Lists has grown in the face of questionable inclusions on those lists, such as executive and tactical airlift aircraft that clearly expand on existing inventory surpluses, and programs from the Future Years Defense Plans that are moved ahead more to accommodate powerful members of Congress than to

address pressing funding shortfalls. That there is more than \$3 billion in questionable spending added by members for parochial reasons illustrates that the scale of the problem remains unacceptably high.

I also continue to find incomprehensible Congress's unwillingness to permit the military to divest itself of excess infrastructure. Literally billions of dollars can be saved over the course of a FYDP if the services are authorized to close unneeded installations and facilities. And let there be no mistake: Congressional opposition to another round of base closures is not predicated upon specious arguments about the supposed lack of cost savings and operational requirements that defy simple economics and common sense; this opposition grows solely out of the desire on the part of members of this body to avoid the politically painful process of defending hometown installations.

As one who saw a major installation in my state closed during the 1991 BRAC round, I can sympathize with that reluctance to undertake an unpleasant task. As one who also saw the rejuvenation of a community previously dependent upon that military installation after it was turned over to local authorities, and as one more than a little concerned about our inability to fully address vital readiness and modernization problems, I must respectfully disagree with those who oppose another round of base closures.

The elimination of excess infrastructure is vital to allow the Department of Defense to focus resources on necessary support facilities rather than base structure from the Cold War era. Savings from previous BRAC rounds have been validated in the billions of dollars by every conceivable research foundation. There is just no excuse for continuing to require taxpayers to pay for infrastructure we do not need.

I am also distressed that the bill does not address a personnel issue I find an embarrassment and a tragedy. With over 12,000 military families on food stamps, and the potential of more than double that number eligible for the program, I cannot reconcile the lack of attention to this issue in this bill. I have been open to all suggestions for solutions to this problem. I have hoped for and worked toward a bipartisan response that would satisfy the Administration, Congress, and the Department of Defense. Although the Senate approved my legislation, I was greatly disappointed when this measure was rejected by conferees from the House of Representatives despite the strong support of Admiral Jay Johnson, the Chief of Naval Operations, and General Jim Jones, the Marine Corps Commandant.

I find it an outrage that enlisted families line up for free food and furniture while we pour hundreds of millions of dollars into C-130J, automatic grenade

launcher, anti-ship decoy, hyperspectral research, and free electron laser programs. The insertion into the budget of hundreds of millions of dollars for an amphibious assault ship that the Navy does not want and that the Secretary of Defense specified diverts dollars from higher priority programs is difficult to reconcile with our professed concern for the welfare of military families.

What we have here is a situation in which certain members of the House are apparently unconcerned about having tens of thousands of military families eligible for food stamps. Yet, they raise no opposition to funding a gymnasium at the Naval Post-Graduate School or a \$15 million Reserve Center in Oregon that were not in the department's budget request. In fact, a vast majority of unrequested items costing many millions of dollars were added to the bill by the same body that opposed the food stamp provision. Sadly, politics, not military necessity, remains the rule, not the exception.

Although my legislative proposal would have been funded for the Department of Defense at approximately \$6 million annually, the Congressional Budget Office found that it actually would have represented a savings to taxpayers, since it would save more in the Agriculture Department by removing service members from the food stamp rolls. I am at a loss to understand or explain how such a straightforward measure could be so easily rejected by the House of Representatives, particularly in a year when Congress voted to increase its own pay and also included a 15% annual pay raise for generals and admirals.

I will continue to press forward to resolve this tragic problem, and I believe that most Americans will support my effort. I will not stand by and watch as our military is permitted to erode to the breaking point by the President's lack of foresight and the Congress' lack of compassion. These military men and women—our soldiers, sailors, airmen, and Marines—are the very same Americans that the President and Congress have sent into harm's way in recent years in Somalia, Bosnia, Haiti, Kosovo, and currently East Timor. Our service members deserve better. They deserve our continuing respect, our unwavering support, and a living wage.

On another matter, I am very pleased that the bill contains provisions for the renewal of the withdrawal of the Goldwater Range.

The Goldwater Range is one of the most important military training ranges in the country, supporting activities of all services. It currently comprises approximately 2.7 million acres of desert land in southwest Arizona, with climate and weather conditions that allow flight and other training over 360 days a year. This range is vital to the continued military readiness of our Armed Forces.

It is also located in the heart of the Sonoran desert and contains one of the most undisturbed desert ecosystems in North America. The Sonoran desert ecosystem on the Goldwater Range is one of the few places in the nation that contains virtually all of the plant and animal species that were present before the continent was discovered by Europeans. The dozen mountain ranges and arid bajadas of the range are home to the desert bighorn sheep, the critically endangered Sonoran pronghorn antelope, and dozens of plant species found almost nowhere else in the U.S.

The challenge is to provide for necessary national defense training while protecting this natural treasure. In 1986, the Congress passed the Military Lands Withdrawal Act which formally authorized the Barry M. Goldwater Range. Included within the range was more than 860,000 acres of the Cabeza Prieta National Wildlife Refuge managed by the U.S. Fish and Wildlife Service and more than 1.8 million acres of lands administered by the Bureau of Land Management. The withdrawals established under the 1986 Act were for 15 years and were due to expire unless extended in 2001.

While the approach to the withdrawal of the Goldwater Range in this bill is different from what we did in 1986, the provisions will ensure the continued availability of this range for vital military training, while protecting and preserving the unique cultural and natural resources of this part of Arizona.

The withdrawal provisions included in the conference report are based on the Administration's proposal. Because of the environmental protections included in the Administration's proposal and additional provisions added in the conference agreement, I am comfortable with the plan to transfer management of the natural and cultural resources within the range to the Air Force and the Navy, a decision which is fully supported by both the Interior Department and the President's Council on Environmental Quality. In practical effect, the Air Force and Marine Corps have been performing the management functions at the Goldwater Range for many years, and doing a superb job of it, according to most observers, while the efforts of the Bureau of Land Management and Interior Department have been widely criticized. In fact, the Department of Defense already dedicates significant resources to land and resource management of the Range. The decision to formally transfer management recognizes the superior fiscal and manpower resources available to the military Services, who also have the most compelling interest in maintaining future training access to the range, which can only be accomplished by effectively addressing environmental concerns regarding its use.

The Cabeza Prieta will no longer be included in the military lands withdrawal, and it will continue to be protected and managed by the Interior Department and the Fish and Wildlife Service as one of our Nation's crown jewels of wilderness areas.

President Franklin D. Roosevelt established the Cabeza Prieta refuge in 1939 in recognition of the tremendous natural resources of the area. Congress—with my strong support—designated about 803,000 acres of the 860,000-acre Refuge as wilderness in the Arizona Desert Wilderness Act of 1990, making it the largest and one of the most pristine wilderness areas managed by the U.S. Fish and Wildlife Service in the lower 48 states. I am very proud to have been a part of the effort to protect this unique wilderness area. The management of Cabeza Prieta should set the highest standard for the protection of wilderness and wildlife values.

This bill ensures that military aviation training can continue over the refuge pursuant to the Memorandum of Understanding in place between the Fish and Wildlife Service and the Air Force but ensures that the wildlife and wilderness conservation purposes of the refuge remain unaltered. The bill does not seek to add new purposes to the Refuge's management mandate.

Under the 1990 wilderness act, the Air Force was allowed to maintain a small number of ground instruments on the refuge within the Cabeza Prieta Wilderness. Man-made structures are not generally allowed within wilderness areas. The bill before us allows the Air Force to upgrade, replace, or relocate the structures but only if doing so will have a similar or less impact on the wilderness and the environment than the existing structures.

The legislation also requires the Defense and Interior Departments to jointly develop a comprehensive integrated natural and cultural resources management plan for the Range, and to conduct a full environmental review, with public comment, every five years, including submission of a report to Congress. The Secretary of the Interior is given unilateral authority to take back the responsibility to manage the Range lands if the Secretary determines that the military is failing to adequately protect them. If at any time this authority is exercised, or if any of the five-year reports indicate degradation of the natural and cultural resources on the range, the Congress could and should take prompt action to redress those problems. I would certainly support such action.

The conference agreement also directs the Department of the Interior to work with all affected parties, including state, local, and tribal governments, to determine how best to manage and protect the natural and cultural resources of the four parcels of

land, totaling 112,179 acres, that will no longer be withdrawn from public use for military utilization. The study will examine whether such lands can be better managed by the Federal Government or through conveyance of such lands to another appropriate entity. The prompt completion of this study will give the Department of the Interior an opportunity to plan for the most appropriate management strategies for these lands, which, because of the withdrawal, have not been subject to mining, livestock grazing, or heavy recreation use for a half-century. These lands include the spectacular, 83,554-acre Sand Tank Mountains area. I expect that the Department of the Interior will explore a number of management options for management of the Sand Tank Mountains (and the other parcels) including transfer to Native American peoples, as well as the potential to protect the important natural values of the area through the designation of qualifying lands as wilderness, or through the limiting of livestock grazing and mining. This area is home to the highly endangered Sonoran pronghorn antelope and I expect that the study will include provisions for this and other threatened and endangered species. The study is to be completed within one year from the date of enactment of this bill.

Finally, the bill establishes an Inter-governmental Executive Committee of federal, state, and tribal representatives for the purpose of exchanging information, views, and advice relating to the management of the natural and cultural resources of the range. I fully expect that this body will conduct its meetings in public, and will provide ample opportunity for the public to participate in meetings and to review and comment on any proposals for the administration of the area that may be discussed by the committee.

I am very disappointed that the conferees did not include language for a comprehensive study of alternative management plans for the Goldwater Range. A proposal was made earlier this year to designate the range as a park or preserve, managed by the National Park Service, while permitting continued military training. In addition, several environmental groups registered concerns about the Administration's proposal for DOD management of the range and expressed concern that the military would be an ineffective manager of the natural resources at issue.

In response, I worked with the concerned individuals and groups to develop language directing the Department of the Interior to make recommendations on management of the range, including possible designation as a park, a preserve, a wilderness area, a nature conservation area, or other similar protected status. Simply studying alternative management schemes

would not interfere with military training activities for which the range is essential. Rather, a comprehensive study would provide information to guide the Administration and the Congress in taking appropriate action to ensure that the cultural and natural resources on the range are preserved and protected.

It is incomprehensible that anyone could object to a study, but, unfortunately, significant opposition was raised by outside conferees on the House side. I will continue to pursue other avenues in this matter, because I am uncomfortable with the idea of locking in the Administration's proposal without ensuring that we could revisit that decision if the experts determined after studying alternative suggestions that some other form of management would be more appropriate.

In July, I wrote to the Secretaries of Interior and Defense, requesting that they independently undertake an assessment of alternative management plans for the Goldwater Range. They have the authority to do so, and I have urged them to begin a study immediately. In addition, I proposed an amendment to the FY 2000 Interior Appropriations bill to require such a study, and I am working to ensure such a study is included in legislation pending before the Energy and Natural Resources Committee to authorize new park areas. Once an alternative management study is completed, I will ensure that any recommendations for improved management of the Goldwater Range are considered and acted on, as necessary, by the Congress.

Despite shortfalls in the conference report before us today, I urge my colleagues to support its passage. On the whole, it is a step in the right direction toward resuscitating an armed force suffering from the diverging pattern of expanding commitments and contracting resources. It includes tangible incentives for the men and women who defend our nation day and night, 365 days a year, at home and overseas. It paves the way for better equipment and higher equipment availability rates. It is imperfect, as, I suppose, a bill of this magnitude is destined to be, but our armed forces deserve the good that is included in it, even if they must also suffer the bad.

Mr. President, the full list of unrequested adds will be available on my website.

Mr. TORRICELLI. Mr. President, I rise today in strong support of the FY 2000 Defense authorization bill. This legislation demonstrates a strong commitment to America's defense and to our ability to meet future military challenges.

I am particularly pleased by the committee's inclusion of \$176.1 million to purchase 17 UH-60L Blackhawk helicopters. A coalition of eight companies

in my state manufacture critical components for the Black Hawk, which is the Army's premier tactical transport helicopter. First produced in 1977, it is used for combat assault, combat resupply, battlefield command and control, electronic warfare and medical evacuation. This year, the Black hawk provided critical support functions for our armed services in the Kosovo. This funding will ensure that our military has the ability to continue its current operations and sustain readiness for future dangers.

I am also pleased by the committee's support for high school ROTC programs. The additional \$32 million for high school ROTC program will make a particular impact in my State where many programs have been approved for participation in ROTC but remain unfunded. Clark High School is an example of one such program which has remained on a waiting list of approved ROTC program but has been unable to participate because funding has not been available. I am hopeful that this funding will be appropriated, allowing the Department of Defense to immediately utilize this funding so that unfunded programs, like Clark High School, can begin operating as soon as possible.

Additionally, the additional benefits for all members of the military included in this bill deals with serious concerns I have had regarding quality of life and morale of our soldiers. The pay raise of almost five percent addresses serious inequities between military pay and civilian wages. In addition, the legislation creates a civilian-style 401(k) by allowing military personnel to contribute up to 5 percent of their pre-tax to a tax-shelter investment fund. These benefits will go a long way toward reaching our goals of recruiting and retaining highly trained personnel. Most importantly, it will give our soldiers and their families the quality of life they deserve.

I am also pleased by the \$10 million in procurement funding for secure terminal equipment for the military services and defense agencies. This versatile equipments is the cornerstone of our multi-media secure digital communication. The new generation of secure terminal equipment, produced by a defense company in my State, is more effective technology and generates significant operations and maintenance cost savings.

Finally, I am extremely pleased by the committee's inclusion of a provision regarding the Economic development conveyance of base closure property. When an installation is recommended for closure, it is imperative that the transfer of property benefit the local community. This provision will accomplish this goal by allowing a more efficient transfer of property to the local re-development authority for job creation and economic development.

I again thank Chairman WARNER, Ranking Member LEVIN and Ranking Member INOUE for their commitment and attention to these important issues.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. GORTON (when his name was called). Present.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 93, nays 5, as follows:

[Rollcall Vote No. 284 Leg.]

YEAS—93

Abraham	Edwards	Lugar
Akaka	Enzi	Mack
Allard	Feinstein	McConnell
Ashcroft	Fitzgerald	Mikulski
Baucus	Frist	Moynihan
Bayh	Graham	Murkowski
Bennett	Gramm	Murray
Biden	Grams	Nickles
Bingaman	Grassley	Reed
Bond	Gregg	Reid
Breaux	Hagel	Robb
Brownback	Hatch	Roberts
Bryan	Helms	Rockefeller
Bunning	Hollings	Roth
Burns	Hutchinson	Santorum
Byrd	Hutchison	Sarbanes
Campbell	Inhofe	Schumer
Chafee	Inouye	Sessions
Cleland	Jeffords	Shelby
Cochran	Johnson	Smith (NH)
Collins	Kennedy	Smith (OR)
Conrad	Kerry	Snowe
Coverdell	Kerry	Specter
Craig	Kyl	Stevens
Crapo	Landrieu	Thomas
Daschle	Lautenberg	Thompson
DeWine	Leahy	Thurmond
Dodd	Levin	Torricelli
Domenici	Lieberman	Voinovich
Dorgan	Lincoln	Warner
Durbin	Lott	Wyden

NAYS—5

Boxer	Harkin	Wellstone
Feingold	Kohl	

ANSWERED "PRESENT"—1

Gorton

NOT VOTING—1

McCain

The conference report was agreed to. (Mr. VOINOVICH assumed the chair.)

Mr. WARNER. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GORTON. Mr. President, as the RECORD shows, I voted present during the rollcall vote on passage of the FY2000 Defense Authorization Conference Report. My decision to cast this vote was prompted by Section 651 of the Conference Report, which would repeal the reduction in retired pay for U.S. military retirees who are employed by the federal government or hold federal office. As a retired U.S.

Air Force Reserve officer, I stand to be benefitted by this provision when it is signed into law by the President. It is for this reason I voted present.

Mr. BOND. Mr. President, what is the pending business?

The PRESIDING OFFICER. The Chair is anticipating a unanimous consent agreement to move forward with the VA-HUD appropriations.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2000

Mr. BOND. Mr. President, I ask unanimous consent H.R. 2684 be discharged from the Appropriations Committee and the Senate proceed to its consideration. I further ask that all after page 2, line 9, over to and including line 3 on page 95 be stricken, and the text of S. 1596 be inserted in lieu thereof, that the amendment be considered as original text for the purpose of further amendments, that no points of order be waived, and that any legislative provision added thereby be subject to a point of order under rule XVI.

Again, the Senate is now on the HUD-VA appropriations bill. No call for the regular order with respect to the bankruptcy bill is in order. It is my hope substantial progress can be made, that the leadership can agree to an arrangement where all first-degree amendments be submitted to the desk by a reasonable time. I will discuss this further with my counterpart, the Senator from Maryland.

I make that unanimous consent request.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title. The bill clerk read as follows:

A bill (H.R. 2684) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, and for other purposes.

The Senate proceeded to consider the bill.

Mr. BOND. Mr. President, I am pleased to present the fiscal year 2000 VA-HUD-independent agencies appropriations bill to the Senate. This legislation provides a total of \$90.9 billion in budget authority, including \$21.3 billion in mandatory budget authority and \$82.3 billion in outlays, while covering a variety of Federal interests from veterans, housing, the environment, basic research, to advances in space.

This has been a very tough year, as I believe all our colleagues know. We have waited a long time to bring this bill to the consideration of the full Senate. I express my sincerest thanks to my chairman, Senator STEVENS, the